

Attorney Docket P2548P1C2 PATENT

CERTIFICATION UNDER 37 CFR 1.10

EL 809 448 932 US: Express Mail Number

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August 30, 2001: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C.

20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION Assistant Commissioner of Patents Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Baker, Kevin P., Darnestown, MD Botstein, David, Belmont, CA Eaton, Dan L., San Rafael, CA Ferrara, Napoleone, San Francisco, CA Filvaroff, Ellen, San Francisco, CA Gerritsen, Mary E., San Mateo, CA Goddard, Audrey, San Francisco, CA Godowski, Paul J., Burlingame, CA Grimaldi, Christopher J., San Francisco, CA Gurney, Austin L., Belmont, CA Hillan, Kenneth J., San Francisco, CA Kljavin, Ivar J., Lafayette, CA Napier, Mary A., Hillsborough, CA Roy, Margaret Ann, San Francisco, CA Tumas, Daniel, Orinda, CA

Wood, William I., Hillsborough, CA

Title: SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME

1. Type of Application

- [] This application is for an original, non-provisional application.
- [] This is a non-provisional application claiming priority to provisional application no. __ , filed ___, the entire disclosure of which is hereby incorporated by reference.
- [X] [X] continuation [] divisional application of U.S. This is a [] continuation-in-part Serial Number 09/866,028 filed May 25, 2001 and claims priority to U.S. Provisional Patent



Application Serial Numbers: 60/067,411 filed December 3, 1997; 60/069,334 filed December 11, 1997; 60/069335 filed December 11, 1997; 60/069,278 filed December 11, 1997; 60/069,425 filed December 12, 1997; 60/069,696 filed December 16, 1997; 60/069,694 filed December 16, 1997; 60/069,702 filed December 16, 1997; 60/069,870 filed December 17, 1997; 60/069,873 filed December 17, 1997; 60/068,017 filed December 18, 1997; 60/070,440 filed January 5, 1998; 60/074,086 filed February 9, 1998; 60/074,092 filed February 9, 1998; 60/075,945 filed February 25, 1998; 60/112,850 filed December 16, 1998; 60/113,296 filed December 22, 1998; 60/146,222 filed July 28, 1999; and U.S. and PCT Patent Application Serial Numbers: PCT/US98/19330 filed September 16, 1998; PCT/US98/25108 filed December 1, 1998; 09/216,021 filed December 16, 1998; 09/218,517 filed December 22, 1998; 09/254,311 filed March 3, 1999; PCT/US99/12252 filed June 22, 1999; PCT/US99/21090 filed September 15, 1999; PCT/US99/28409 filed November 30, 1999; PCT/US99/28313 filed November 30, 1999; PCT/US99/28301 filed December 1, 1999; PCT/US99/30095 filed December 16, 1999; PCT/US00/03565 filed February 11, 2000; PCT/US00/04414 filed February 22, 2000; PCT/US00/05841 filed March 2, 2000; PCT/US00/08439 filed March 30, 2000; PCT/US00/14042 filed May 22, 2000; PCT/US00/20710 filed July 28, 2000; PCT/US00/32678 filed December 1, 2000; PCT/US01/06520 filed February 28, 2001; the entire disclosure of which is hereby incorporated by reference.

 Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

148 pages of specification

3 pages of claims

1 page(s) of abstract

34 sheet(s) of drawings

[X] formal [] informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added,
 An executed declaration of the inventor(s) [] is enclosed [] will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
 X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)
 A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)
 An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [] will follow.

(for cont./div.)

X The prior application is assigned of record to Genentech, Inc.

5.	Amend	Iments	nents (for continuation and divisional applications)							
		Cancel in the	nis application on a strong on a strong or	original claims _ independent c	of the prior aplaim must be	oplication before or retained for filing	calculating the purposes.)	filing		
	_X	properly nu	imbered cons	nt is enclosed. ecutively begir n the prior app	ning with the	led by this amer number next fo	ndment have I llowing the hig	oeen Jhest		
	Relate	ate Back 35 U.S.C. 120 or 35 U.S.C. 119								
	X	Amend the	specification l	by inserting bef	ore the first lin	e the sentence:				
	This i	This is a								
	_X	continuatio		on						
	of appl	lications								
	_X	Numbers: 09/254,31	09/216,021 fil 1 filed March 3	ed December 3, 1999, which	16, 1998; 09. applications a	and claims pride to the control of t	ecember 22, 1 herein by refer	1998;		
	_X	Internation PCT/US98 PCT/US98 PCT/US98 PCT/US00 PCT/US00	al Application 8/25108 filed 9/21090 filed S 9/28313 filed I 9/30095 filed I 0/04414 filed 0/08439 filed 0/20710 filed I 1/06520 filed F orated herein I	serial numbe December 1, September 15, November 30, December 16, February 22, March 30, July 28, 200	rs PCT/US98 1998; PCT/US 1999; PCT/US 1999; PCT/US 2000; PCT/US 2000; PCT/US0 001, which des	/19330 filed Se US99/12252 filed S99/28409 filed N S99/28301 filed S00/03565 filed US00/05841 file US00/14042 filed D/32678 filed D signated the U.S. Dlications priority	ptember 16, 1 ed June 22, 1 November 30, 1 December 1, 1 February 11, 2 ed March 2, 2 d May 22, 2 December 1, 2 I, which applica	1999; 1999; 1999; 2000; 2000; 2000; ations		
	<u>X</u>	provisiona December 1997; 60/ 60/069,69 December 1997; 60/ February 1998; 60/ disclosure	I application r r 11, 1997; 60/ 069,425 filed 4 filed Decemb r 17, 1997; 60/ 070,440 filed Ja 9, 1998; 60/0 113,296 filed	069335 filed D December 1; per 16, 1997; 60 069,873 filed D anuary 5, 1998; 75,945 filed Fe December 22, reby incorpora	ecember 11, 1 2, 1997; 60/0 //069,702 filed recember 17, 60/074,086 file bruary 25, 19 1998; 60/146	ecember 3, 199 1997; 60/069,278 169,696 filed De December 16, 19 1997; 60/068,017 ed February 9, 19 198; 60/112,850 15,222 filed July 2 198; and to which a	3 filed Decembe ecember 16, 997; 60/069,870 7 filed Decembe 998; 60/074,092 filed Decembe 28, 1999, the	er 11, 1997; 0 filed er 18, 2 filed er 16, entire		

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

		CLAIM	S FOR FEE CA	LCULATION			
Number	Filed	Number Extra		Rate	Basic Fee 37 CFR 1.16(a)		
	The Paris	2.7 mg Proposition	The second of the second	er en	\$710.00		
Total Claims	6	- 20 =	0	X \$18.00	\$0.00		
Independent Claims	1	1 - 3 = 0		X \$80.00	\$0.00		
	\$0.00						
	\$710.00						

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$710.00. A duplicate copy of this transmittal is enclosed.

8. Authorization to Charge Additional Fees

is attached.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. <u>A duplicate copy of this sheet is enclosed</u>.

- [] Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- [X] Request to Use Computer Readable Form of Sequence Listing from Parent Application Pursuant to 37 CFR § 1.821(e) and paper copy of Sequence Listing.
- [] A new Power of Attorney or authorization of agent.
- [X] Other: Associate Power of Attorney (37 CFR 1.34) and change of correpondence address; and Post card.

10.	Maintenand	ce of Cope	ndency	of Prio	r Application	(for	continuation	and	aivisionai
applic		nust be comp application h		the nec	essary papers f	filed in the	prior applicatio	n if th	e period set
		the pending	prior app	lication	e has been filed until nsion of time in				

11. Correspondence Address:

X Address all future communications to:

Paul E. Rauch, Ph.D. Brinks, Hofer, Gilson & Lione NBC Tower - Suite 3600 455 N. Cityfront Plaza Drive Chicago, Illinois 60611-5599 Telephone: 312-321-4200 Facsimile: 312-321-4299

CUSTOMER NO: 28442

Respectfully submitted, GENENTECH, INC.

Elizabeth M. Barnes, Ph.D.

Reg. No. 35,059

Telephone No. (650) 225-4563

09157
PATENT TRADEMARK OFFICE

In re Application of: Baker et al. Serial No.: Not yet assigned Filed: Herewith For: Secreted and Transmembrane Polypeptides and Nucleic Acids Encoding the Same Group Art Unit: Not yet assigned Examiner: Not yet assigned

REQUEST TO USE COMPUTER READABLE FORM OF SEQUENCE LISTING FROM PARENT APPLICATION PURSUANT TO 37 C.F.R. § 1.821 (e)

Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

The patent application filed herewith is a continuing application of currently pending application Serial No. 09/866,028, filed on May 25, 2001. The Sequence Listings in (a) the herewith filed patent application and (2) currently pending patent application Serial No.09/866,028, filed on May 25, 2001, are identical. Therefore, pursuant to 37 C.F.R. § 1.821(e), Applicants respectfully request that the compliant computer readable form of the Sequence Listing filed on May 25, 2001 in parent application Serial No. 09/866,028 be used as the computer readable form for the herewith filed patent application. The paper copy of the Sequence Listing submitted herewith

Serial No.: Not yet assigned

Filed: Herewith

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is identical to that on the compliant computer readable form of the Sequence Listing filed on May 25, 2001 in parent application Serial No. 09/866,028.

Respectfully submitted,

GENENTECH, INC.

Elizabeth M. Barnes, Ph.D.

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